

STATE OF MONTANA TERM CONTRACT

Department of Administration
State Procurement Bureau
165 Mitchell Building
PO Box 200135
Helena, MT 59620-0135
Phone: (406) 444-2575 Fax: (406) 444-2529
TTY Users-Dial 711
<http://www.discoveringmontana.com/doa/gsd>

**T.C. #: A63309-MUS
HEWLETT PACKARD**

WESTERN STATES CONTRACTING ALLIANCE

**Title: COMPUTER EQUIPMENT, SOFTWARE, PERIPHERALS AND RELATED
SERVICES-MONTANA UNIVERSITY SYSTEM**

This is a non-exclusive contract.

CONTRACT TERM	FROM	April 1, 2005	CONTRACT STATUS	NEW ()
	TO	August 30, 2009		RENEW (X)
VENDOR ADDRESS	Hewlett Packard Company 20555 SH249, CCM0301-040 Houston, TX 77070		ORDER ADDRESS	www.hp.com/buy/WSCAll
ATTN:	Debra Lee		ATTN:	
PHONE:	847.537.0344		PHONE:	
FAX:	281.927.5213		FAX:	
E-MAIL:	Debra.Lee@hp.com		E-MAIL:	

PRICES: Per Section 14 of the Master Price Agreement

DELIVERY: 20 Business days after receipt of order

F.O.B.: Destination

TERMS: Net 30 days

REMARKS:

Current pricing is available at <http://h30102.www3.hp.com/gemstore/sites/wscall/index.html>

Authorized resellers are available at <http://gem.compaq.com/gemstore/sites/downloads/MT-ResellerAgents.xls>

This contract is NOT for the purchase of major hardware purchases. Individual units cost cannot exceed \$100,000 each.

IFB/RFP No.:

ROBERT OLIVER, CONTRACTS OFFICER

DATE:

AUTHORIZED SIGNATURE

Computer Equipment, Software, Peripherals & Related Services-Montana University System

This document represents an overview of the Western States Contracting Alliance Computer Equipment, Software, Peripherals and Related Services contract. This document is not intended to replace or append the contract, rather to provide an overview and summary of the agreement.

1.0 BACKGROUND

The State of Montana is a member of the Western States Contracting Alliance (WSCA), which establishes the means by which participating states may join together in cooperative multi-state contracting in order to achieve cost-effective and efficient acquisition of quality products and services. This contract is a result of a cooperative procurement conducted by the State of Minnesota on behalf of WSCA.

1.1 PURPOSE

The purpose of this contract is to provide the Montana University System, with an expedited means of obtaining Computer Equipment, Software, Peripherals and Related Services, as specified in the attached participating addendum.

1.2 NON-EXCLUSIVE CONTRACT

This contract is for the convenience of the Montana University System and is considered by the State Procurement Bureau to be a "non-exclusive" use contract. Therefore, the Montana University System may obtain this product/service from sources other than the contract holder(s) as long as they comply with Title 18, MCA, and their delegation agreement and applicable state standards and policies.

2.0 LIAISON

The primary Contractor contact for this participating addendum is as follows:

Copy to:

Debra Lee
Public Sector Program Manager
Hewlett Packard Company
442 Swan Blvd
Deerfield, IL 60015
Tel: 847.537.0344
Fax: 281.927.5213
Email: Debra.Lee@hp.com

Patrick Long
Public Sector Contract Manager
Hewlett Packard Company
3314 Noyes Street
Evanston, IL 60201
Tel: 847.644.7732
Fax: 847.864.1905
Email: patrick.long@hp.com

The State's primary contact for this participating addendum and all Cooperative Purchasing requests should be directed to:

Robert Oliver
State of Montana, State Procurement Bureau
125 N. Roberts Street, Mitchell Building, Room 165
Helena, MT 59620-0135
Phone: (406) 444-0110
Fax: (406) 444-2529
E-mail: roliver@mt.gov

3.0 ORDERING PROCEDURE

In accordance with the terms of the contract, an agency purchase order must be issued to the contractor for all required products. The purchase order must reference the contract number (A63309-MUS); identify all items desired, the purchase order date, the desired delivery date, shipping locations, and prices.

4.0 TERM OF CONTRACT

The contract is effective from April 1, 2005 through August 30, 2009.

5.0 PRICING

For current pricing, please see the following website:

<http://h30102.www3.hp.com/gemstore/sites/wscall/index.html>

Authorized resellers are available at <http://h30102.www3.hp.com/gemstore/sites/wscall/partners.htm>

6.0 CONTRACT

The entire contract can be found at the following website:

<http://www.mmd.admin.state.mn.us/wsca/A63309 HP Master Price Agreement.htm>

PARTICIPATING ADDENDUM

COMPUTER EQUIPMENT, SOFTWARE, PERIPHERALS AND RELATED SERVICES

**MASTER PRICE AGREEMENT
HEWLETT PACKARD COMPANY
Contract Number A63309**

State of Montana

1. Scope:

All entities within the Montana University System are authorized to purchase products and services under the terms and conditions of the referenced master price agreement. Allowable products are defined in section 14 of the master price agreement as band 1, 2, 3, 4, and 5, allowable services, as defined below, and LAN equipment and related software as defined below.

Entities are subject to all applicable state standards, policies, and procurement laws before any purchase from this contract.

2. Changes:

“Services”: The Contractor(s) shall provide service, as defined in the master price agreement, for equipment and the take back program.

Other Changes:

Section 20, add the following: Access and Retention of Records. Contractor agrees to provide the department, the legislative auditor or their authorized agents access to any records necessary to determine contract compliance. Contractor agrees to create and retain all billing records supporting the invoicing of products and services rendered for a period of three (3) years after either the completion date of this contract or the conclusion of any claim, litigation or exception relating to this contract taken by the State of Montana, or a third party. Reference: 18-1-118, MCA.

Section 32, delete and replace with the following: Venue. This participating addendum shall be governed by the laws of the State of Montana. Venue for any action shall be in the First District Court of the Lewis and Clark County, Helena, Montana. Parties to pay own legal fees and associated costs.

Section 59, add the following: Compliance with Workers’ Compensation Act. The Contractor is required to supply the State of Montana, State Procurement Bureau with proof of compliance with the Montana Workers’ Compensation Act while performing work for the State of Montana. (Mont. Code Ann. §§ 39-71-120, 39-71-401, and 39-71-405.) Neither the Contractor nor its employees are employees of the State. The proof of insurance/exemption must be in the form of workers’ compensation insurance, an independent contractor exemption, or documentation of corporate officer status and must be received by the State Procurement Bureau P.O. Box 200135, Helena, MT 59620-0135 and must be kept current for the entire term of the contract.

Section 60, add the following: Purchasing Card. The State of Montana has a Purchasing Card Program in place that gives agencies and Montana State University the ability to charge purchases made from these contracts. The State of Montana prefers this method of payment.

Section 61, add the following: Termination for Convenience. The State of Montana may terminate this participating addendum and/or any active projects in whole or in part. Contractor shall be entitled to sums due as compensation for accepted deliverables provided in conformance with the contract.

Computer Equipment, Software, Peripherals & Related Services-Montana University System

In the event the contract is terminated for the convenience of the State the agency pay for all accepted work performed and accepted deliverables completed in conformance with the contract up to the date of termination.

3. Primary Contact:

The primary participating entity contact for all issues is as follows:

University of Montana
Lu Terry, Contracts Officer
The University of Montana
Business Services
Lommasson Center
Missoula, MT 59812
(406) 243-2204
Email: TerryLE@mso.umt.edu

Montana State University
Shawna Lanphear
Director of Purchasing
Montana State University
104 Montana Hall
Phone: (406) 994-3211
Fax: (406) 994-3000
Email: slanphear@montana.edu

The primary Contractor contact for this participating addendum is as follows:

Debra Lee
Public Sector Program Manager
Hewlett Packard Company
442 Swan Blvd
Deerfield, IL 60015
Tel: 847.537.0344
Fax: 281.927.5213
Email: Debra.Lee@hp.com

Copy to:
Patrick Long
Public Sector Contract Manager
Hewlett Packard Company
3314 Noyes Street
Evanston, IL 60201
Tel: 847.644.7732
Fax: 847.864.1905
Email: patrick.long@hp.com

4. Servicing Subcontractors:

University of Montana:

Only those HP authorized resellers and service providers listed on the HP website www.hp.com/buy/WSCAll are eligible to support the price agreement under HP's influencer program (reseller agent) or service provider program, as approved by the participating entity.

Montana State University:

Only the following servicing subcontractors are authorized to support the price agreement under HP's influencer program (reseller agent) or service provider program:

ITC Computer Store
Basement Renne Library, Rm 68
Montana State University
Bozeman, MT 59717

Certified Education Partners: Procuring agencies that qualify for educational products and discounts may assign the following certified education partner to a purchase order:

ITC Computer Store
Basement Renne Library, Room 68
Montana State University
Bozeman, MT 59717

Orders and payments are to be handled by HP directly unless otherwise mutually agreed by HP and the participating entity as specified in this section of the participating addendum. Electronic orders will be accepted by HP under the terms of this agreement.

The Master Price Agreement Number A63309 MUST be shown on all Purchase Orders issued against this Agreement.

This addendum and the price agreement together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this addendum and the price agreement, together with its exhibits, shall not be added to or incorporated into this addendum or the price agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this addendum and the price agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms.

Computer Equipment, Software, Peripherals & Related Services-Montana University System

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by Contractor below. Signatures as required by State Statutes, Rules or Policies.

State of Montana

Hewlett-Packard Company

By: _____

By: _____

Name: Marvin Eicholtz

Name: _____

Title: Administrator, General Services Division

Title: _____

Date: _____

Date: _____

Montana State University

By: _____

Date: _____

University of Montana

By: _____

Date: _____

Approved as to Legal Content:

Dal Smilie, Chief Legal Counsel Date
Department of Administration